

Assembly Bill No. 94

Passed the Assembly April 28, 2011

Chief Clerk of the Assembly

Passed the Senate April 11, 2011

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2011, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 15820.917 of, and to add Section 15820.910 to, the Government Code, relating to criminal justice realignment, and making an appropriation therefor, to take effect immediately, bill related to the budget.

LEGISLATIVE COUNSEL'S DIGEST

AB 94, Committee on Budget. Criminal justice realignment.

Existing law authorizes the Department of Corrections and Rehabilitation (CDCR), participating counties, and the State Public Works Board (SPWB) to acquire, design, and construct local jail facilities approved by the Corrections Standards Authority (CSA). Existing law authorizes the SPWB to issue revenue bonds, notes, or bond anticipation notes in specified amounts to finance the acquisition, design, or construction, and a reasonable construction reserve, of approved local jail facilities, as specified. Existing law requires a minimum of 25% in county matching funds for projects funded under these provisions and requires the CDCR and CSA to give funding preference to counties that assist the state in siting reentry facilities, as specified. AB 111 of the 2011–12 Regular Session, if it becomes operative, instead requires that the CDCR and the CSA give funding preference to counties that committed the largest percentage of inmates to state custody in relation to the total inmate population of CDCR in 2010.

This bill would, if AB 111 of the 2011–12 Regular Session becomes operative, authorize counties that have received a conditional award under one specified jail facilities financing program to relinquish that award and reapply for a conditional award under a separate financing program, as specified. The bill would lower to 10% the required county contribution and additionally require the CDCR and CSA to give funding preference to those counties that relinquish those specified local jail construction conditional awards and agree to continue to assist the state in siting reentry facilities, as specified. The bill would cap at \$100,000,000 the amount a county may receive in proceeds from SPWB's issuance of bonds, notes, or bond anticipation notes under those specified provisions.

This bill would appropriate \$1,000 from the General Fund to the CDCR for purposes of state operations to be used by the CSA in the 2011–12 fiscal year.

This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. This act shall be known, and may be cited, as the 2011 Realignment Legislation Addressing Public Safety.

SEC. 2. Section 15820.910 is added to the Government Code, to read:

15820.910. A participating county that has received a conditional award under the financing program, as set forth in Chapter 3.11 (commencing with Section 15820.80), may relinquish its conditional award, provided that no state moneys have been encumbered in contracts let by the county, and may reapply for a conditional award under the financing program set forth in this chapter, as amended by the act adding this section.

SEC. 3. Section 15820.917 of the Government Code, as amended by Section 4 of Chapter 16 of the Statutes of 2011, is amended to read:

15820.917. (a) Participating county contribution for projects funded under this chapter shall be a minimum of 10 percent of the total project costs. The CSA may reduce contribution requirements for participating counties with a general population below 200,000 upon petition by a participating county to the CSA requesting a lower level of contribution.

(b) The CDCR and CSA shall give funding preference to counties that committed the largest percentage of inmates to state custody in relation to the total inmate population of CDCR in 2010.

(c) The CDCR and CSA shall give funding preference to counties that relinquish their conditional awards pursuant to Section 15820.910, provided that those counties agree to continue to assist the state in siting reentry facilities pursuant to Chapter 9.8 (commencing with Section 6270) of Title 7 of Part 3 of the Penal Code.

(d) A participating county shall not receive more than one hundred million dollars (\$100,000,000) in proceeds from an

issuance of the SPWB pursuant to subdivision (a) of Section 15820.913.

SEC. 4. In addition to any amounts provided in the Budget Act of 2011, the sum of one thousand dollars (\$1,000) is hereby appropriated from the General Fund to the Department of Corrections and Rehabilitation for purposes of state operations to be used by the Corrections Standards Authority in the 2011–12 fiscal year.

SEC. 5. This act shall become operative if Assembly Bill 111 of the 2011–12 Regular Session of the Legislature becomes operative.

SEC. 6. This act is a bill providing for appropriations related to the Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution, has been identified as related to the budget in the Budget Bill, and shall take effect immediately.

Approved _____, 2011

Governor